

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>In re United States Patent Application of:</b>	)	<b>Docket No.:</b>	<b>020884-000002</b>
<b>Applicant:</b>	)	<b>Examiner:</b>	<b>Not yet assigned</b>
<b>Application No.:</b>	)	<b>Confirmation No.:</b>	<b>8559</b>
<b>Filing or 371(c)</b>	)	<b>Art Unit:</b>	<b>1646</b>
<b>Date:</b>	)		
<b>Title:</b>	)	<b>Customer No.:</b>	<b>24239</b>
<b>PEPTIDES WITH THE CAPACITY TO BIND TO TRANSFORMING GROWTH FACTOR <math>\beta</math>1 (TGF- <math>\beta</math>1)</b>	)		

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**REQUEST FOR CORRECTED FILING RECEIPT IN U.S. PATENT APPLICATION NO.  
10/569,012**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir/Madam:

A review of the Filing Receipt in the above-identified patent application has revealed the presence of an error in the spelling of one of the inventor's name. The proper listing of the inventors is set out below.

**Applicant(s)**

Javier Dotor **De Las** Herrerias, Navarra, SPAIN;  
Ana Belen Lopez Vazquez, Asturias, SPAIN;  
Juan Jose Lasarte Sagastibelza, Navarra, SPAIN;  
Jesus Prieto Valtuena, Navarra, SPAIN;  
Francisco Borrás Cuesta, Navarra, SPAIN

The review of the Filing Receipt has further revealed the presence of an error in the status of the entity to which the subject application is assigned. Specifically, the filing receipt should indicate large entity status pursuant to the "Notice of Change of Status from Small to Large Entity for U.S. Patent Application No. 10/569,012" as filed via facsimile on January 10, 2007 (copy attached as Appendix A). In addition, the January 10, 2007 Change of Status is not noted on the

Notice of Acceptance of Application (copy attached as Appendix B). Finally, a copy of the marked-up filing receipt is attached as Appendix C.

Request hereby is made for issue of a corrected filing receipt for the subject U.S. patent application and a corrected Notice of Acceptance of Application.

### CONCLUSION

It is believed that there is no fee for this request. However, the Commissioner is hereby authorized to charge any requisite fee associated with this request to Deposit Account No. 13-4365 in the name of Moore & Van Allen PLLC. If any additional issues remain, please contact the undersigned attorney at (919) 286-8090 to discuss same.

Respectfully submitted,

MOORE & VAN ALLEN PLLC

Date: April 4, 2007

By:



Tristan Anne Fuierer  
Registration No. 52,926  
Moore & Van Allen PLLC  
430 Davis Drive, Suite 500  
Morrisville, NC 27560-6832  
Telephone: (919) 286-8000  
Facsimile: (919) 286-8199

# APPENDIX A

TO: Auto-reply fax to 9192868199 COMPANY:

## Auto-Reply Facsimile Transmission



TO:

Fax Sender at 9192868199

Fax Information

Date Received:

1/10/2007 4:21:22 PM (Eastern Standard Time)

Total Pages:

2 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(i). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
Cover  
Page

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01/10/2007 14:21 FAX 9192868199	000000-VX-0113X	01/10/2007
PATENT APPLICATION		
<b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>		
In re United States Patent Application of: Applicant: <b>BOYORIE LAS REPERFAS,</b> Junior et al. Application No.: <b>10/949,012</b> Date Filed: <b>February 11, 2006</b> Title: <b>EXPANSION WITH TIME</b> <b>CAPACITY TO BIND TO</b> <b>TRANSFORMING GROWTH</b> <b>FACTOR IN (TGF-<math>\beta</math>)</b>	Docket No.: <b>020834-000002</b> Examiner: <b>Not Assigned</b> Art Unit: <b>Not Assigned</b> Ombudsman No.: <b>8559</b> Examiner No.: <b>24239</b>	
FACSIMILE TRANSMISSION CERTIFICATE		
Fax No.: (703) 271-4390		
I hereby certify that the document is being filed in the United States Patent and Trademark Office, via facsimile transmission to the Commissioner for Patents, P.O. Box 1500, Alexandria, VA 22315-1500, on January 10, 2007, as United States Patent and Trademark Office facsimile transmission number:		
Number of Pages: _____  Ryan S. Allen Date: <u>January 10, 2007</u>		
NOTICE OF CHANGE OF STATUS FROM SMALL- TO LARGE ENTITY FOR U.S. PATENT APPLICATION NO. 020834		
Commissioner for Patents P.O. Box 1500 Alexandria, Virginia 22315-1500		
Sic:		
TELEFAX: (703) 271-4390 FAX: (703) 271-4390		

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\*\*\* TX REPORT \*\*\*  
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TRANSMISSION OK

TX/RX NO	4923
RECIPIENT ADDRESS	#711915712738300
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PAGES SENT	2
RESULT	OK

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent Application of:	)	Docket No.:	020884-000002
Applicant: DOTOR DE LAS HERRERÍAS, Javier et al.	)	Examiner:	Not Assigned
Application No.: 10/569,012	)	Art Unit:	Not Assigned
Date Filed: February 21, 2006	)	Confirm No.:	8559
Title: PEPTIDES WITH THE CAPACITY TO BIND TO TRANSFORMING GROWTH FACTOR $\beta$ 1 (TGF- $\beta$ 1)	)	Customer No.	24239


## FACSIMILE TRANSMISSION CERTIFICATE

Fax No.: (571) 273-8300

I hereby certify that this document is being filed in the United States Patent and Trademark Office, via facsimile transmission to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on January 10, 2007, to United States Patent and Trademark Office facsimile transmission number:

2

Number of Pages

  
Lillian S. Glenn

January 10, 2007

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent Application of:	)	Docket No.:	020884-000002
Applicant: DOTOR DE LAS HERRERÍAS, Javier et al.	)	Examiner:	Not Assigned
	)		
Application No.: 10/569,012	)	Art Unit:	Not Assigned
	)		
Date Filed: February 21, 2006	)	Confirm No.:	8559
	)		
Title: PEPTIDES WITH THE CAPACITY TO BIND TO TRANSFORMING GROWTH FACTOR $\beta$ 1 (TGF- $\beta$ 1)	)	Customer No.	24239
	)		

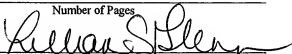
## FACSIMILE TRANSMISSION CERTIFICATE

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Number of Pages



Lillian S. Glenn

January 10, 2007

Date

**NOTICE OF CHANGE OF STATUS FROM SMALL TO LARGE ENTITY FOR U.S.  
PATENT APPLICATION NO. 10/569,012**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This Notice of Change of Status is submitted to notify the Patent and Trademark Office that the assignee of the subject patent application has concluded that they are presently a Large Entity interest under 37 CFR §1.27.

The total fees paid for the filing and completion of requirements for the subject application were \$665.00 which reflects the small entity portion. Accordingly, an additional \$665.00 is due to complete the large entity filing fee.

Accordingly, the Commissioner is hereby authorized to charge \$665.00 to Deposit Account No. 13-4365 in the name of Moore & Van Allen PLLC.

Respectfully submitted,



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Tristan A. Fuierer  
Reg. No. 52,926  
Attorney for Applicant

MOORE & VAN ALLEN PLLC  
Phone: (919) 286-8000  
Fax: (919) 286-8199  
Attorney File: 020884-000002

## **APPENDIX B**





## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/569,012	Javier Dotor Delas Herrerias	020884-000002

INTERNATIONAL APPLICATION NO.

PCT/ES04/00320

LA. FILING DATE

07/05/2004

PRIORITY DATE

08/22/2003

24239

MOORE &amp; VAN ALLEN PLLC

P.O. BOX 13706

Research Triangle Park, NC 27709



CONFIRMATION NO. 8559

371 ACCEPTANCE LETTER



\*OC00000022875979\*

Date Mailed: 03/19/2007

## NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

08/11/2006

DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and  
(c)(4) REQUIREMENTS

01/10/2007

DATE OF COMPLETION OF ALL 35 U.S.C. 371  
REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Indication of Small Entity Status
- Copy of the International Application filed on 02/21/2006
- Copy of the International Search Report filed on 02/21/2006
- Copy of IPE Report filed on 02/21/2006
- Preliminary Amendments filed on 02/21/2006
- Information Disclosure Statements filed on 02/21/2006
- Biochemical Sequence Diskette filed on 09/05/2006
- Oath or Declaration filed on 08/11/2006
- Biochemical Sequence Listing filed on 02/21/2006
- Small Entity Statement filed on 02/21/2006
- Request for Immediate Examination filed on 02/21/2006

- U.S. Basic National Fees filed on 02/21/2006
- Priority Documents filed on 02/21/2006
- Power of Attorney filed on 02/21/2006

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Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

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LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)

# APPENDIX C

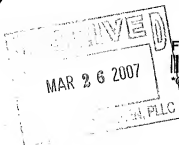


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371(c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLMS	IND CLMS
✓ 10/569,012	✓ 08/11/2006	1646	✓ 130	✓ 020884-000002	✓ 26	✓ 2

24239  
 MOORE & VAN ALLEN PLLC  
 P.O. BOX 13706  
 Research Triangle Park, NC 27709



CONFIRMATION NO. 8559

FILING RECEIPT



\*0C000000022875978\*

Date Mailed: 03/19/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

De Las

Javier Dotor ~~De las~~ Herreras, Navarra, SPAIN;  
 Ana Belen Lopez Vazquez, Asturias, SPAIN;  
 Juan Jose Lasarte Sagastibelza, Navarra, SPAIN;  
 Jesus Prieto Valtuena, Navarra, SPAIN;  
 Francisco Borrás Cuesta, Navarra, SPAIN;

Power of Attorney: The patent practitioners associated with Customer Number 24239. ✓

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/ES04/00320 07/05/2004 ✓

## Foreign Applications

SPAIN P200302020 08/22/2003 ✓

If Required, Foreign Filing License Granted: 03/13/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/569,012**

Projected Publication Date: 06/21/2007 ✓

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

Title

Peptides with the capacity to bind to transforming growth factor b1 (tgf-b1)

Preliminary Class

514

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER****Title 35, United States Code, Section 184****Title 37, Code of Federal Regulations, 5.11 & 5.15****GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The

date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).